

Exhibit A

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**Re: Broadband Technology Innovations LLC v. Verizon Services Corp.,
Case No. 06-291 JJF (D. Del.)**

Dear John:

I am writing further to our discussion on Thursday regarding the Court's December 5, 2006 letter requesting that the parties submit a joint Proposed Pretrial Scheduling Order. Attached you will find the draft Scheduling Order we plan to submit to the Court. If this is acceptable to Verizon, please advise and we can prepare a joint submission.

If this draft order is not acceptable to Verizon, then we plan to submit it with a short separate statement explaining why this is the appropriate schedule at this time. If Verizon cannot agree to the attached draft Order, we do not believe a joint submission is advisable.

Finally, be advised that given the posture of this case and the stay already in effect in the *Inline* case, Plaintiffs would oppose a schedule allowing Verizon to bring a dispositive motion related to anticipation at this time.

Best regards,


Carl S. Nadler

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

BROADBAND TECHNOLOGY INNOVATIONS,)
LLC, and PIE SQUARED LLC,)

Plaintiffs,)

v.)

C.A. No. 06-291 (JJF)

VERIZON INTERNET SERVICES, INC.;)
GTE.NET LLC d/b/a VERIZON INTERNET)
SOLUTIONS; VERIZON SERVICES CORP.;)
TELESECTOR RESOURCES GROUP, INC. d/b/a)
VERIZON SERVICES GROUP; VERIZON)
CORPORATE SERVICES GROUP INC. d/b/a)
VERIZON SERVICES GROUP; VERIZON)
ADVANCED DATA INC.; VERIZON AVENUE)
CORP.; GTE SOUTHWEST INC. d/b/a VERIZON)
SOUTHWEST; and VERIZON DELAWARE INC.,)

Defendants.)

ORDER

WHEREAS, the Court granted in part plaintiff's motion to stay in the related case *Inline Connection v. Verizon Internet Services, Inc., et al.*, C.A. No. 05-866-JJF on April 13, 2006 (D.I. 92) pending the outcome in two related cases, C.A. Nos. 02-272-MPT and 02-477-MPT ("the AOL/Earthlink cases"), on the ground that the same patents are at issue in all cases and that determination of claim construction and infringement in the AOL/Earthlink cases may help determine infringement in C.A. No. 05-866-JJF; and

WHEREAS, the Court in the April 13, 2006 Memorandum Order (D.I. 92, C.A. No. 05-866-JJF) also permitted the parties to proceed with discovery as to defendants' unenforceability and invalidity defenses to prevent the possible loss of "evidence and witnesses" concerning events of "close to twenty years ago"; and

WHEREAS, plaintiffs have represented to the Court that the Complaint in this case is substantively identical to the Complaint in C.A. No. 05-866-JJF (with the exception of a related, recently issued fifth patent), and that this case was brought to address the affirmative defense of lack of standing brought by defendants in C.A. No. 05-866-JJF and to ensure that the Court may determine the substantive infringement claims against defendants even if a court were ultimately to determine that plaintiff's original Complaint in C.A. No. 05-866-JJF lacked subject matter jurisdiction (D.I. 3); and

WHEREAS, plaintiffs have also requested consolidation of this case with C.A. No. 05-866-JJF subject to the existing orders in C.A. No. 05-866-JJF on discovery and staying the action, so that all proper parties will be represented in a single action for patent infringement (D.I. 3);

IT IS HEREBY ORDERED THAT, for the reasons set forth in the April 13, 2006 Memorandum Order (D.I. 92, C.A. No. 05-866-JJF) and in the interests of efficiency, this case is stayed on the same terms as C.A. No. 05-866-JJF and also consolidated with C.A. No. 05-866-JJF.

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SO ORDERED

Dated: _____, 2006

UNITED STATES DISTRICT COURT JUDGE